

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
KINDE DURKEE,
Debtor.

STATE CONTROLLER'S OFFICE,
Garnishee.

Case No.: 2:21-mc-00181 CKD

ORDER

Criminal Case No. 2:12-cr-00123-KJM

On November 28, 2012, the Court entered judgment against Kinde Durkee (Debtor) and ordered her to pay a \$500 statutory assessment and \$9,749,989.76 in restitution, and to begin making payments immediately to the Clerk of the Court. See USA v. Durkee, 2:12-cr-00123-KJM. As of September 11, 2023, Debtor still owes \$9,623,092.28. (ECF No. 17 at 1.)

The parties have filed a signed stipulation for final order of garnishment. (Id.)¹ To resolve this garnishment action, Debtor agrees to entry of a Final Order of Garnishment that directs Garnishee to pay

¹ Upon consent of both parties, this matter was reassigned to the undersigned for all purposes. (ECF No. 20.)

1 the entire approved \$161,206.03, to the Clerk of the Court within 30 days after the Court enters an order
2 approving this stipulation. (Id. at 5.)

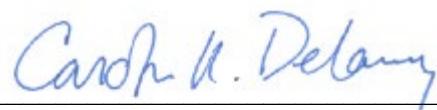
3 **ORDER**

4 Based on the foregoing stipulation between the United States of America and Debtor and good
5 cause appearing therefore, IT IS HEREBY ORDERED that:

- 6 1. The stipulation is APPROVED in its entirety, and the parties' request for a final order of
7 garnishment is GRANTED;
- 8 2. Within thirty (30) days of the filing of this order, Garnishee is directed to pay the Clerk of
9 the Court the entire approved \$161,206.03 in the form of a cashier's check, money order,
10 or company draft made payable to the "Clerk of the Court," and delivered to: Office of
11 the Clerk of the Court, U.S. District Court, Eastern District of California, 501 I St., Rm.
12 4-200, Sacramento, CA 95814;
- 13 3. The criminal docket number (2:12-cr-00123-KJM) shall be stated on the payment
14 instrument;
- 15 4. This Order does not foreclose the United States from pursuing separate efforts to collect
16 the restitution balance from Debtor;
- 17 5. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the
18 case, if necessary; and
- 19 6. The garnishment shall terminate when Garnishee's payment is deposited with the Clerk
20 of the Court, and the Clerk is directed to close the case.

21 IT IS SO ORDERED.

22 Dated: October 2, 2023



23 CAROLYN K. DELANEY
24 UNITED STATES MAGISTRATE JUDGE

25 21,durk.181